

ciala who consumed annually one-fourth of the available fund to pay their own salaries.

As the result of patriotic effort, a mighty change has been wrought. We now have a prosperous and happy people, an overflowing treasury and economical government, a comparatively small debt and a low rate of interest, low taxation, and a restored credit. Her treasury warrants are at par, while her bonds are selling at a premium of 40 to 52 per cent. More than 50,000,000 acres of land has been added to the school fund, while the cash and interest bearing bonds belonging to the fund is approximating nearly five and a half millions of dollars. In short, the State has been placed on the high road to prosperity. And, with liberty, progress, economy and prosperity inscribed upon her banner, she is moving forward to that grand destiny that awaits her, when every tongue shall confess her as much the superior of her sisters in point of wealth and political power, as she is to-day in the extent of her territory.

I will be pardoned for expressing the pride I feel, when I remember that I have been associated with men who have done much to bring about this grand result.

And now Senators, permit me to announce the fact that your future presiding officer, the Lieutenant-Governor of Texas, has taken the oath of office in his room at the hotel, where he is confined to his bed by sickness, and to him I now surrender the trust heretofore confided to me. Again allow me to tender my sincere thanks for the support the Senate has always given me, and for the kind resolution of confidence and esteem you have adopted to day.

Senator Buchanan moved that the address of the Lieutenant-Governor just delivered be printed in and made a part of the Senate journal. Adopted unanimously.

On motion of Senator Matlock, Senate adjourned until 10 o'clock to-morrow morning.

EIGHTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, January 17, 1883. }

The Senate met pursuant to adjournment.

Senator Houston, President pro tem., in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Senator Kleberg, the reading of yesterday's journal was dispensed with.

On motion of Senator Cooper, Wm. Neal Ramey, Secretary of the Senate, was excused for absence yesterday and to-day, on account of sickness in his family.

Senator Gibbs, chairman of Committee on Constitutional Amendments, submitted the following report:

COMMITTEE ROOM,
AUSTIN, January 17, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Constitutional Amendments, to whom was referred joint resolution No. 15, have had the same under consideration, and have instructed me to report it back with the recommendation that it do pass, with the accompanying amendment, adopted by your committee.

GIBBS, Chairman

The amendment to original resolution is as follows: Instead of "already incurred," insert "incurred prior to the adoption of this amendment."

Bill read first time.

Senator Patton, for Judiciary Committee No. 2, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, January 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 78, entitled "A bill to be entitled an act to amend chapter 10, title 71, of the Revised Civil Statutes, by adding article 3604," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

PATTON, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 57, entitled "An act to amend article 699, title 8, chapter 5,

of the Code of Criminal Procedure of the State of Texas," have had the same under consideration, and instruct me to report the same back to the Senate with the recommendation that it do not pass, because, in the opinion of the committee, it would be in violation of section 13, article 5, of the Constitution of the State of Texas, which the committee believe requires a jury of twelve men in every felony case.

PATTON, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to which was referred Senate bill No. 83, entitled "An act authorizing the settling of causes for trial or disposition in the district courts," have had the same under consideration and instruct me to report it back to the Senate with the recommendation that the same do not pass.

PATTON, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 16, 1883.

Hon. Marion Martin President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 80, entitled "An act entitled an act to amend article 240 of the Penal Code," have had the same under consideration, and instruct me to report it back to the Senate and recommend that it do not pass, because a bill of the same subject matter has been reported upon.

PATTON, Chairman.

Bill read first time.

Senator Kleberg, chairman of special committee on inauguration, submitted the following report:

COMMITTEE ROOM,
AUSTIN, January 17, 1883.

To the Hon. A. W. Houston, President pro tem. of the Senate:

Your committee appointed to act with a like committee upon the part of the House of Representatives to make necessary arrangements for the inauguration and installation of the Governor and Lieutenant-Governor elect, beg leave to report that after the inauguration of Governor John Ireland the committee proceeded to the room of the Lieutenant Governor, Marion Martin, and there witnessed the installation of Lieutenant Governor Martin, Judge A. S. Walker administering the constitutional oath of office to the said Marion Martin, in the presence of Senators Chesley and Kleberg, and Representative Acker.

CHESLEY,
KLEBERG,
TERRELL,
Senate Committee.

Senator Cooper introduced a bill to be entitled "An act to amend article 2266, chapter 4, title 38, of an act entitled 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed by the Sixteenth Legislature of Texas." Referred to Judiciary Committee No. 1.

Senator Traylor introduced a bill to amend articles 3060, 3066 and 3067 of the Revised Civil Statutes of the State of Texas. Referred to Judiciary Committee No. 1.

Senator Traylor introduced the following joint resolution:

Be it resolved by the Legislature of the State of Texas, That section 8 of article 7 of the Constitution be so amended as to read as follows:

SECTION 7. There shall be elected by the qualified voters of the State at the time and places of election of members of the Legislature, a Superintendent of Education, who shall distribute said funds to the several counties, and perform such other duties concerning public schools as shall be prescribed by law.

Referred to Committee on Constitutional Amendments.

Senator Gibbs introduced the following bill: "An act to amend articles 1005, 1006, 1007, 1008 and 1009, Revised Statutes." Referred to Judiciary Committee No. 1.

Senator Gibbs, by request of the Committee on Constitutional Amendments, submitted the following resolution:

Resolved, That the chairman of the Committee on Constitutional Amendments be allowed to have printed, for the use of the Senate, one hundred copies of all amendments of article 7 of the Constitution pending before the committee.

Adopted.

Senator Patton, by unanimous consent, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, January 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 48, entitled "An act to amend article 735 of the Code of Criminal Procedure, of evidence in criminal actions," have had the same under consideration and instruct me to report it back to the Senate with the recommendation that the same do not pass.

PATTON, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 81, entitled "An act to prevent certain county officers, their deputies and employees, from purchasing property at tax sales," have had the same under consideration and instruct me to report it back to the Senate, and recommend that the same do pass.

PATTON, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 19, entitled "An act to amend articles 903 of chapter 2, and 911, chapter 3, of the Code of Criminal Procedure," have had the same under consideration, and instruct me to report the same back to the Senate with the recommendation that it do pass.

PATTON, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 50, entitled "A bill amending article 317 of chapter 3, title 9 of the Penal Code," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that the same do pass.

PATTON, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Judiciary No. 2, to whom was referred Senate bill No. 56, entitled "An act to amend an act to amend article 1083 of the Code of Criminal Procedure of the State of Texas," have had the same under consideration and instruct me to report it back to the Senate with the recommendation that the same do pass.

PATTON, Chairman.

Bill read first time.

On motion of Senator Cooper, the Senate went into executive session to consider the appointments made by his Excellency the Governor yesterday.

IN SENATE.

On motion of Senator Cooper, it was ordered that the Governor should be duly notified that the Senate advises and consents to the appointments made by him in his message of yesterday.

Senator Cooper introduced a bill to be entitled "An act to amend article 1265, sub-division of the Revised Civil Statutes." Referred to Judiciary Committee No. 1.

The President laid before the Senate Senate bill No. 24, "An act authorizing the Commissioner of the General Land Office to employ additional clerks, and fixing their salaries," being the special order for this hour. The bill was ordered engrossed by the following vote:

YEAS—15.

Buchanan,	Getzendaner,	Matlock,
Chesley,	Harris,	Patton,
Collins,	Houston,	Shannon,
Cooper,	Johnston of Shelby,	Terrill,
Fleming,	Martin,	Traylor.

NAYS—14.

Davis,	Johnson of Collin,	Perry,
Evans,	Jones,	Pfeuffer,
Farrar,	King,	Randolph,
Fowler,	Kieberg,	Stratton.
Gibbs,	Peacock,	

The President laid before the Senate, Senate bill No. 22, an act entitled "An act to suspend the sale of the public school, university, and asylum lands, and all vacant and unappropriated land of the State," being the unfinished business.

Bill taken up with substitute of committee, the amendment of Senator Stratton pending.

Pending amendment laid on the table, on motion of Senator Pfeuffer.

Senator Kieberg offered the following amendment: Amend by inserting after "asylum lands" the words "and all lands set apart for the payment of the public debt of the State." Adopted.

Senator Gibbs offered the following amendment: Amend by inserting "provided, such suspension shall not apply to actual settlers applying for 160 acres or less."

Senator Martin offered the following amendment to amendment of Senator Gibbs: Amend by adding "under existing pre-emption laws." Lost.

Senator Gibbs' amendment was adopted.

Senator Shannon offered an amendment to strike out, in lines 6 and 7, section 1, the words "Legislature shall otherwise determine," and insert "expiration of ninety days from and after the adjournment of the present session of the Legislature."

Adopted by the following vote:

YEAS—16.

Cooper,	Johnson of Collin,	Matlock,
Davis,	Johnston of Shelby,	Perry,
Farrar,	Jones,	Shannon,
Fleming,	King,	Stratton,
Gibbs,	Martin,	Terrell.
Houston,		

NAYS—13.

Buchanan,	Getzendaner,	Peacock,
Chesley,	Harris,	Pfeuffer,
Collins,	Kieberg,	Randolph,
Evans,	Patton,	Traylor.
Fowler,		

The committee substitute, as amended, was adopted, and bill ordered engrossed.

Senator Davis moved to suspend rules and place bill on its third reading. Adopted by the following vote:

YEAS—28.

Buchanan,	Harris,	Patton,
Chesley,	Houston,	Peacock,
Collins,	Johnson of Collin,	Perry,
Davis,	Johnston of Shelby,	Pfeuffer,
Evans,	Jones,	Randolph,
Farrar,	King,	Shannon,
Fleming,	Kieberg,	Stratton,
Fowler,	Martin,	Terrell,
Getzendaner,	Matlock,	Traylor.
Gibbs,		

NAYS—1.

Cooper.

Bill read third time and passed by the following vote:

YEAS—28.

Buchanan,	Gibbs,	Matlock,
Chesley,	Harris,	Patton,
Collins,	Houston,	Peacock,
Cooper,	Johnson of Collin,	Perry,
Davis,	Johnston of Shelby,	Pfeuffer,
Evans,	Jones,	Randolph,
Farrar,	King,	Shannon,
Fleming,	Kieberg,	Stratton,
Fowler,	Martin,	Traylor.
Getzendaner,		

NAYS—none.

A message was received from the House informing the Senate that the House has acted upon the resolution of the Senate to appoint a joint committee to examine the Governor's mansion and report what repairs were necessary to be made, and the Speaker has appointed Messrs. Taylor, Cundiff and King as said joint committee.

The President laid before the Senate Senate bill No. 21, "An act to amend article 1107 of the Revised Statutes of the State of Texas, and to add thereto articles 1107a, 1107b, 1107c and 1107d, and to provide for the payment of fees to attached witnesses in cases of felony." Bill read second time.

Senator Matlock offered the following amendment: "Amend the caption of bill and section 1 by striking out the words 'Revised Statutes' and insert 'Code of Criminal Procedure.'" Adopted.

On motion of Senator Chesley, the bill was postponed and made special order after morning call Monday next.

The following message was received from his Excellency the Governor and laid before the Senate by the President:

EXECUTIVE OFFICE, }
AUSTIN, January 16, 1883. }

To the Senate:

I respectfully request your assent to the following appointments:
J. W. Bains, Secretary of State.
James H. Burts, Assistant Attorney-General.
Dr. A. N. Denton, Superintendent of the Lunatic Asylum.
Dr. Frank Rainey, to be Superintendent of the Blind Asylum.
John S. Ford, to be Superintendent of the Deaf and Dumb Asylum.

T. J. Goree, to be Superintendent of the Penitentiary.
Ben E. McCulloch, Assistant Superintendent of the Huntsville Penitentiary.

D. M. Short, to be Assistant Superintendent of the Penitentiary at Rusk.

J. W. Daniel, to be Inspector of outside convict labor.
Respectfully, JNO. IRELAND, Governor.

Senator Harris moved that the Senate go into executive session immediately after morning call to-morrow, to take action upon the appointments of the Governor made in the message just read. Adopted.

The President laid before the Senate, Senate bill No. 28, "An act to amend article 2863 of Revised Civil Statutes of the State of Texas."

A message was received from the House announcing the passage by that body of substitute House bill No. 4, "A bill to be entitled an act making an appropriation to defray the contingent expenses of the Eighteenth Legislature." Referred to Committee on Contingent Expenses.

Senator Davis moved to postpone pending Senate bill No. 28, and make it special order for Wednesday of next week, just after the morning call.

Senator Patton offered to amend by adding that "one hundred copies of the bill be ordered printed." Accepted, and motion as amended was adopted.

Senator Pfeuffer, chairman of Committee on Finance, by unanimous consent, submitted the following report:

COMMITTEE ROOM,
AUSTIN, January 16, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Finance, to whom was referred Senate bill No. 88, entitled "A bill to be entitled an act making appropriation to defray the contingent expenses of the Eighteenth Legislature, convened January 9, 1883," have had the same under consideration and instruct me to return said bill to the Senate, with recommendation that the same be referred to the Committee on Contingent Expenses.
PFEUFFER, Chairman.

Bill read first time and referred to Committee on Contingent Expenses.

The President laid before the Senate Senate bill No. 29, "An act to amend articles 503 and 504 of chapter 3 of the Penal Code."

Bill read second time, postponed, on motion of Senator Kleberg, till Wednesday next, and made special order immediately after the special order for that hour.

The President laid before the Senate Senate bill No. 30, "An act amend article 1000, chapter 1, title 13, Code of Criminal Procedure." Bill read second time and ordered engrossed.

The President laid before the Senate, Senate bill No. 33, "An act amending article 800, chapter 3, title 9 of the Code of Criminal Procedure." Bill read second time and ordered engrossed.

Senate bill No. 34, "An act amending article 240, title 8, chapter 6 of the Penal Code," was taken up in regular order and read second time.

Senator Martin offered the following amendment: Amend by striking out \$1000 and inserting \$100.

Senator Davis moved to amend the amendment of Senator Martin by substituting "not less than twenty-five nor more than one hundred dollars." Amendment accepted, and amendment as amended adopted, and bill ordered engrossed.

Senate bill No. 36, "An act to amend article 2863, chapter 4, title 50 of the Revised Civil Statutes," was taken up in regular order and read second time, with majority and minority reports.

Senator Pfeuffer moved to adopt the majority report.

Senator Davis moved to substitute the minority for the majority report.

Senator Davis moved to postpone and make it the special order for next Friday, just after morning call. Motion lost.

The President gave notice of the signing by him of House bill No. 74, "An act making an appropriation for the mileage and per diem pay of the members, and per diem pay of the officers and employees of the Eighteenth Legislature."

On motion of Senator Chesley, the Senate adjourned until to-morrow morning at 10 o'clock, by the following vote:

YEAS—15.

Chesley,
Cooper,
Davis,
Evans,
Farrar,

Fowler,
Getzendaner,
Gibbs,
Jones,
King,

Kleberg,
Matlock,
Randolph,
Stratton,
Traylor.

NAYS—14.

Buchanan,
Collins,
Fleming,
Harris,
Houston,

Johnson of Collin,
Johnson of Shelby,
Martin,
Patton,
Peacock,

Perry,
Pfeuffer,
Shannon,
Terrell.

NINTH DAY.

SENATE CHAMBER, }
AUSTIN, TEXAS, January 18, 1883. }

The Senate met pursuant to adjournment.

Senator Houston, President pro tem., in the chair.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Senator Davis, the reading of the journal of yesterday was dispensed with.

Senator Terrell, chairman of Judiciary Committee No. 1, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 91, have considered the same, and instruct me to report it back, with the recommendation that it do pass.

Its object is to diminish the civil and criminal jurisdiction of the county court of Matagorda county, and to conform the jurisdiction of the district court to such change.

TERRELL, Chairman.